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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.        | CONFIRMATION NO. |
|---|-------------|----------------------|----------------------------|------------------|
| 10/549,389  | 09/14/2005  | Shigeru Kanaoka      | 05596/HG                   | 2212             |
| 1933 7590 01/17/2008<br>FRISHAUF, HOLTZ, GOODMAN & CHICK, PC<br>220 Fifth Avenue<br>16TH Floor<br>NEW YORK, NY 10001-7708 |             |                      | EXAMINER<br>PANDE, SUCHIRA |                  |
|   |             |                      | ART UNIT                   | PAPER NUMBER     |
|   |             |                      | 1637                       |                  |
|   |             |                      | MAIL DATE                  | DELIVERY MODE    |
|   |             |                      | 01/17/2008                 | PAPER            |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Interview Summary

Application No.

10/549,389

Applicant(s)

KANAOKA, SHIGERU

Examiner

Suchira Pande

Art Unit

1637

All participants (applicant, applicant's representative, PTO personnel):

(1) Suchira Pande.

(3) Richard Barth.

(2) Teresa Strzelecka.

(4) \_\_\_\_\_.

Date of Interview: 16 January 2008.

Type: a) ☒ Telephonic b) ☐ Video Conference  
c) ☐ Personal [copy given to: 1) ☐ applicant 2) ☐ applicant's representative]

Exhibit shown or demonstration conducted: d) ☐ Yes e) ☒ No.

If Yes, brief description: \_\_\_\_\_.

Claim(s) discussed: 1, 3 and 5.

Identification of prior art discussed: \_\_\_\_\_.

Agreement with respect to the claims f) ☐ was reached. g) ☐ was not reached. h) ☐ N/A.

Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: See Continuation Sheet.

(A fuller description, if necessary, and a copy of the amendments which the examiner agreed would render the claims allowable, if available, must be attached. Also, where no copy of the amendments that would render the claims allowable is available, a summary thereof must be attached.)

THE FORMAL WRITTEN REPLY TO THE LAST OFFICE ACTION MUST INCLUDE THE SUBSTANCE OF THE INTERVIEW. (See MPEP Section 713.04). If a reply to the last Office action has already been filed, APPLICANT IS GIVEN A NON-EXTENDABLE PERIOD OF THE LONGER OF ONE MONTH OR THIRTY DAYS FROM THIS INTERVIEW DATE, OR THE MAILING DATE OF THIS INTERVIEW SUMMARY FORM, WHICHEVER IS LATER, TO FILE A STATEMENT OF THE SUBSTANCE OF THE INTERVIEW. See Summary of Record of Interview requirements on reverse side or on attached sheet.

Examiner Note: You must sign this form unless it is an Attachment to a signed Office action.

Spande Jan 16 '2007  
Examiner's signature, if required

Continuation of Substance of Interview including description of the general nature of what was agreed to if an agreement was reached, or any other comments: Claim language was discussed. For claim 1, Primary Examiner suggested use of closed language "consisting of" instead of "comprising" as currently recited; followed by the two steps actually performed to isolate RNA for which the applicant has support in Example 1.

In claim 3, the issue of use of trademark names in the claims was discussed.

For claim 5, following suggestion was made: step a) providing RNA as isolated by the method of claim 1. Deleting current steps a) and b). Current steps c) through e) remain in the method with additional step added in end that provides the correlation between preamble and missing step.

Example 2 shows unexpected results which could be argued as the reason to overcome possible 103 rejection if the claims are amended such that claim language is restricted to the actual steps performed in Example 1 to isolate RNA.

Applicant will contact the client in Japan and will contact Examiner Pande by January 30, 2008 (two weeks from today) to indicate if Applicant is submitting a supplemental Amendment to be considered before examination of the RCE.

Examiner Pande will be out of office from February 8 till March 9. If Examiner does not hear from the Applicant by January 30, 2008, then Examiner will need to go ahead and examine the claims as currently filed. This is needed so the case can be moved off of Examiner's Docket in a timely manner and not go overdue while she is out of country.

If the Applicant decides to file a supplemental amendment then Examiner will examine the case after returning to office.